

*Excerpts from the letters which passed
betwixt the Earl of Caithness and Lord
Woodhall.*

EXCERPTS from the letters which passed betwixt the Earl of Caithness and Lord Woodhall. The letters and answers are taken down according to their dates; and as they appear to have been sent, and received to connect the correspondence; but a letter, wrote by Lord Murkle on death-bed to the Earl of Caithness, is first taken in, as it serves for a key to the correspondence; AS ALSO, excerpts of the other letters produced.

I TOOK Lady Dorothea from Mrs. Pattullo's, of the 15th current; she has been with me ever since, and still behaves so much to my satisfaction, that my good opinion of her merit increases. I have however left her nothing, that she might depend wholly on you. I have often told you, that, in my opinion, she is, in all respects, the prudentest, discreetest, the genteelest and most obliging creature of her age I ever knew; and I hope you will not think I intend to deceive or impose on you now, when I am, and has been for several days past in such a situation, in point of health, that none who see me would lay the odds on my living a few hours, no not Doctors Clerk and Stevenson who attend me; and I hope it will not fare the worse with her, that she is entirely in your power: I therefore again make my humble request, that you may settle your estate on her as well as mine. If she marries against your will, or misbehaves otherways in any matter of consequence while you live, you may destroy the deed; and, as I hope you will live many years, when you will have more experience, and better knowledge of her merit than you yet have, you will, by her behaviour

Lord Murkle
to Lord Caith-
ness, May 1st,
1755.

viour in that time, be able to judge, whether she, or the person next in succession, is most deserving, or will make the best and most honourable figure in the world.—In my opinion she has a fair chance of being, (in due time,) as comfortably married as any young woman in the kingdom.

Lord Caithness to Lord Woodhall,
June 2d,
1755.

I am much obliged to you for the care you have taken of Lord Murkle. I had a long distinct letter from him, wrote with his own hand the 1st May; have been very uneasy since I heard of his illness; I shall make the settlement, as he proposes, of what belongs to me; I believe it is necessary; I wish it were sent me as soon as can be; it cannot be wrote here.

Lord Woodhall to Lord Caithness,
June 5th,
1755.

I am exceeding sorry to send your Lordship this by express, to acquaint you, that your brother, and my most sincere and affectionate friend, Lord Murkle, died this morning a quarter before nine.—Historically, for I never saw your brother's settlements, I am informed, (except some legacies not considerable,) you are both heir and executor.

Lord Caithness to Lord Woodhall,
June 7th,
1755.

I received your express this day about nine o'clock.—Though it was no surprise to me, I am not very capable of writing. His letter of the 1st May affected me so much, that it has been constantly in my mind ever since; I shall strictly adhere to it; he proposed, that all his estate should go to Dorothea, though it may be proper to keep this secret, yet I wish the deed was sent me; I am averse to come up if it can be helped; I am but very heartless; be pleased to tell Dorothea, that it was Lord Murkle's earnest desire that she should be brought home; she shall meet with the best and kindest reception I can give her.—Take care of Dorothea.

Lord Woodhall to Lord Caithness,
June 12th,
1755.

As I wrote this upon an uncertainty of finding your Lordship, I will mention nothing of the particulars that passed betwixt your brother and my good friend before he died; but, in discharge of the trust he reposed in me, and as they are nothing more than what I expect will be agreeable to your own sentiments, I will communicate them to your Lordship, whenever I have the honour and pleasure to see you; some part of them are expressed in the codicil he ordered

to

to be put into my hand before he died, and others were what passed betwixt us in private conversation.

The letter I had from my brother of the 1st May, showed so much concern for me and the family, and was so exact, notwithstanding his distressed condition, that I am impatient to do what he desired me, which was to settle his estate and own on Dorothea. I beg of you that you would send a deed for that purpose as soon as can be, because no man is sure of a minute's life; at the same time he desires me to burn it, if she disposed of herself in a wrong way.—I wish you would do me the favour to live in the house, at least as long as Dorothea continues in it; if you cannot, that you will give such orders, that exact care of her may be taken; I am resolved to take her home, but have not yet fixed on the time or manner. P. S. I am afraid I have written very defectively about the settlement, tho' I am very anxious about it; till I recover more spirit than I have, I am not able to fix a time for coming up.

Lord Caithness to Lord Woodhall,
June 16th,
1755.

I have the honour of your Lordship's letter of the 9th, yesterday morning, by express; all your Lordship's directions shall be literally observed, except making out the disposition in favours of Lady Dorothea. Your brother, Lord Murkle, gave me some instructions as to that, which is not proper to communicate to your Lordship, until I see you here.

Lord Woodhall to Lord Caithness,
June 19th,
1755.

I had the honour to receive your Lordship's letter of the 17th. I must again insist for your coming up, if your health will admit of it; as many things will obstruct the management of your brother Lord Murkle's affairs, unless you are here yourself.—As to your settlement, it is quite impossible for me to give your Lordship any advice concerning it; your brother's papers are locked up, as I have wrote, and your own. I have no access to see them; besides, as I wrote your Lordship in my last, there are several things I have to communicate to your Lordship from your brother, that will make it proper you should be made acquainted with, before you make a total settlement of your two estates, I mean, your own and the one you have got from your brother.

Ditto to ditto,
June 20th,
1755.

Lord Caith-
ness to Lord
Woodhall,
June 23d,
1755.

I propose to set out as soon as possible, but it will take some time to prepare for the journey, which is a very troublesome one, by very bad roads, bad lodgings, and many ferries, nor have I been on horse-back for more than eight months; but, which is worst of all, I am very spiritless and melancholy.---If what is necessary may be done without my coming up, it would be very agreeable to me; but if that cannot be done, I rather suffer any hardship, than to suffer that to be lost by my fault, that my brother left to my care. I wish I had the deed he proposed, that I might sign it or I set out. If I am to travel, you shall not be detained in town on my account, after the session is up. Be assured that I have entire confidence in you, and that I am, my Lord, &c.

Lord Wood-
hall to Lord
Caithness,
July 3d,
1755.

I had the honour to receive your Lordship's letter of the 23d June. ---As to what you write as to sending north a settlement of your own estate and your brother's, in terms of his letter the 1st May, I would humbly propose to have your Lordship up here before that be executed, as I have several things to communicate to you, which I received verbally from your brother some short time before his death, relative to the settlement you intend to make.

Lord Wood-
hall to Lord
Caithness,
July 10th,
1755.

All I want is your countenance and personal presence for some days, to have them, (*i. e.* Murkle's affairs) put on a clear footing, and execute your settlements as your brother suggested to you; and, at the same time, to have myself exonerated of the trust he placed in me, partly verbal and partly in writing.

Ditto to dit-
to, July 24th,
1755.

You have several other matters to settle, concerning which I have verbal instructions from your honest and good brother, a short time before his death, which do not fall within the compass of the power of the factory, and cannot be executed to purpose, unless you was here yourself.

N. B. The factory here mentioned was to Patrick Crichton to manage his brother's money.

Ditto to dit-
to, Aug. 26th,
1755.

Your brother, some short time before he died, gave me a particular detail of every thing he was possessed of; but was so far from mentioning jewels, that on the contrary he told me he had none, but some few trifling rings, which we have now found. These he destined

destined to be given to his niece: and added further, that he intended, before she was sent north, to purchase jewels of some value, and make her a present of them.

As your daughter, Lady Doll, who left the town on Monday forenoon, before I came into it, is now out of my care, I must do her the justice to declare to your Lordship, that her behaviour, ever since I had occasion to observe it, and since her uncle Lord Murkle's death, has been most unexceptionable.

I will never think that any thing your Lordship desires me to do is too much pressed, being persuaded that you will propose nothing to me but what is for my advantage; yet it is almost impossible for me to come to Edinburgh at this time of the year. The last winter I was there I got a very dangerous cold, such as would be hard on me now, notwithstanding all my precautions. If your Lordship will let me know the conditions and directions my brother gave for making the settlement, it may be done though I am here. I think it will be unnecessary to mention my title, or to make particular narratives. I shall speak to Mr. Budge, who is in the country, about it.

I had the honour to receive your Lordship's letter of the 8th current, yesterday forenoon. As to giving your Lordship my advice upon the execution of your settlement, when you live at such a distance, and your papers are not collected together, so as a memorial can be made of them, is a thing quite impossible for me to do. The real regard I have for your Lordship and your family, is too great to allow me to presume to offer you a random advice, upon a subject of such importance.

I am sorry you have put off your coming up here for this winter, as there are several things concerning your intended settlement that I intended to have suggested to your Lordship, which I cannot so well put in writing, or explain to you at such a distance, where I have no opportunity to confer with you upon them.

Whatever directions you have, from time to time, to give in your affairs, your Lordship will take the trouble to write them to me, and

Ditto to ditto,
Sept 10th,
1755.

Lord Caithness to Lord Woodhall,
October 6th,
1755.

Lord Woodhall to Lord Caithness,
Sept. 24th,
1755.

Ditto to ditto,
Nov. 6th,
1755.

Ditto to ditto,
Dec. 3d,
1755.

and I will communicate them in your name, and by your order.

Ditto to ditto,
April
28th, 1756.

I flatter myself, that your Lordship will now be tempted to come south; it is of consequence in settling your affairs; and besides, I have many things to mention to you, that I cannot communicate by writing.

Ditto to ditto,
Oct 21st,
1756.

I have most real pleasure to be informed by your brother Mr. Francis, and your daughter Lady Doll, that your Lordship got well home to your own house, after an easy journey, and without any accident; and indeed, though I could have wished to have had the honour to have paid my respects to your Lordship before you set out; yet, considering that the weather was then good, and that there was a chance of its becoming bad, I think you judged it much better to take your journey at the time you did, than to put it off to the later season.

Lord Caithness to Lord Woodhall,
Oct. 14th,
1760.

I did not care to trouble your Lordship with a letter the time of session, but now finding my flesh, strength, and memory failing, I am to tell how I am to dispose of my inheritance, which I propose to give to Mr. Francis in life, and to the heirs of his body in fee; next, to the second son of Lord and Lady Macduff, and his heirs-male, but to no other son, on condition he takes the name of Sinclair and designation of Murkle, failing of which, to your Lordship, and your heirs-male, taking the designation of Murkle; if you cannot do that, to the second son of your heir-male. You are the only person of the name that has acted for me as a friend, and I believe it is owing to you, that the settlement my brother made was effectual as to the lands; if it is necessary to mention them particularly, they are in a charter, August 19th, 1719, in the general register; let it be entailed; I can neither trust this with writer or lawyer. Your Lordship will be pleased to employ some writer that will be secret, and then send it to me. Lord Macduff will be ill pleased that it does not go to all his sons, and so will Mr. Francis, because he has not the fee: he is but in a bad state of health.

Your

Your Lordship does me a great deal of more honour, than I either merit, or had reason to expect, from any services I ever had in my power to do for you, by proposing to name me a substitute in your intended entail and settlement of your paternal estate; the many marks of friendship I have received from your Lordship, since the first time I had the honour to be known to you, do more than compensate all the good offices I ever was capable to perform, either to your Lordship, your brother, Lord Murkle, or any other of your family; and therefore, this last instance of your regard for me is quite gratuitous on your Lordship's part; and, whatever happens, I will always regard it as such. By the time I return to Edinburgh, which will be the end of next week, I will think of a proper person of integrity, secrecy, and understanding, to employ, in executing your intended settlement and entail; but, in the mean time, I beg to know your sentiments as to two or three particulars, which are proper to be made clear, before the deed can be extended. From your letter, I take it for granted, that you are only to make an entail and settlement of your paternal estate, as you call it your inheritance, and refer me to your charter 1719, but not of your brother, Lord Murkle's land-estate or money. These last, if you make no particular settlement of them, go, by the course of law, to your daughter, subject to the Viscount's *jus mariti*, or right of administration, during the standing of the marriage; and after the dissolution thereof, to your daughter, and her heirs. After naming me, your Lordship desires, that the estate should be made to devolve upon my heirs-male whatever. I wish to know, whether you mean to restrict this to the heirs-male of my own body, or to extend it to my heirs-male at large, of the name of Sinclair and family of Stevenston. I will take an opportunity to write your Lordship a little fuller upon this subject, when I return to town; but as I know you are not fond of long letters on business, I will stop short at present.

I have received your Lordship's of the 24th past; all the lands are to be settled as I mentioned in my last.—The name here are very remote, and have acted more like enemies than friends; I have good reason not to be well pleased with Mr. Francis; his behaviour

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Lord Wood-
hall to Lord
Caithness,
1760. Octob.
24.

Lord Caith-
ness to Lord
Woodhall,
1760, Nov.
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to me has not been obliging, his management of his affairs is bad, he is but too active, but ill directed, has too good an opinion of inferior people, and is not to be trusted in such a case: As for Lady Macduff, nothing I can say has any weight with her, she thinks she has a right to every thing she asks, and that fair profession is good enough for me, which was her mother's way. I designed this long ago, if the estate of Murkle goes to the Earl, the memory of Murkle will be lost. My predecessors got the earldom about 1000l. Scots a-year, and they have twice as much of the estate of Murkle, that did not cost them a farthing; Earl George, he took possession of it, as tutor to my father, and kept it; the whole lands, after the cess and ministers are paid, will be hardly 700l. of Rent.

Lord Wood-
hall to Lord
Caithness,
Dec. 22d,
1760.

The great hurry and confusion I was in, after my brother Mr. Lockhart's death, and the not having got the scroll of the tailzie and settlement, your Lordship, by your letter the 14th October last, intimated your inclination to execute, fully wrote out till this day, have been the reason of my being so long in writing a return to your letter, dated November 4th; your Lordship will receive with this, the scroll of your intended tailzie and settlement, which is wrote out as near the directions you wrote me, in your letter the 14th October, as I could make it. I have presumed to make a few variations, but they are by no manner of means material; the first concerns your brother, Mr. Francis, viz. in place of restricting him to a life-rent only, I have taken the liberty to put him in the fee of the tailzied lands, in the event of his succeeding, and that, for the reason I mentioned to your Lordship in my last letter, which was this, That as the estate is to be entailed in the strictest manner, with prohibitant, irritant, and resolutive clauses, so as he will be barred from doing any deed, by which he can either affect it with debts, or alienate any part of it, although he is made a nominal fiar, he will have no more powers over it, than if he was but a life-renter; and as this is the case, he will consider it as an affront or slight put upon him, to be restricted to the last, when putting him in the fee, was giving him no more powers than the other. The next variation I have presumed to make, or rather addition, is this, your Lordship,

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in your letter of the 14th October, desired me to name, in the substitutions, the second son of V. M. and your daughter only; but I have carried this a little further, and have caused name the younger sons likewise, in their order; that is to say, failing the second sons, and their heirs-male, the estate is to devolve upon the younger sons, who, in that case, become the second son in life. I have likewise taken upon me to go a little further, and to cause name the heirs-male of your daughter's body of any subsequent marriage, but under the express condition, that it shall be an irritancy of his right, if he succeeds to a peerage, or takes the name and arms of any other family, besides that of Sinclair of Murkle only. This exception or condition will, most effectually, prevent your Lordship's estate from being sunk into a peerage, or any other family whatever, which I take to be your only intention, in executing your intended settlement. Another thing I will beg leave to explain,—your Lordship will observe, that there are heirs-female mentioned, but these are only called, failing all the other substitutes in the entail; the reason of this is, to prevent the estate, in the event of the failure of the heirs of entail, from falling to the crown, which might be the case, if the heir of line was not called in the last place. The heirs-female are subjected to all the irritancies of the entail, in the same way as the heirs-male. I send your Lordship the scroll in a franked cover, to save the expence of postage; when you return the scroll, you will be pleased to write me alongst with it, your observations upon it, and I will cause extend it accordingly, just as your Lordship desires to have it; when your Lordship writes me, it will be proper to give me a power, to get up your brother Lord Murkle's papers from Mr. Crichton, for without these, your tailzie cannot be extended. I have not time to write your Lordship concerning several things, I want to inform you of, as I am going to the country, but when I return to town, which will be after the holidays, I will write you more fully than I have time to do at present.

I condole with you on the loss of a deserving brother, had it not been for that, I had written to your Lordship long ere now; I was very anxious for what you sent me, (i. e. the scroll of the tailzie and

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settlement)

Lord Caith-
ness to Lord
Woodhall,
Jan. 14th,
1761.

settlement) I have read it several times, yet, I doubt, if I fully understand it, because I am not used to stile; there is a prohibition to contract debt after the succession, but I think there is no irritancy adjected to it; I would have the second son succeed the contraveener; Mr. Francis has been dangerous ill last summer, and has been, since winter began, and I myself am in a declining way, both in body and mind; be pleased to cause a servant call for money from Mr. Grame, to pay the lawyer and the writer, and send it to (i. e. me) fairly written out as soon as can be.—There has been a long friendship between your Lordship's predecessors and mine, which I shall endeavour to continue.

Lord Wood-
hall to Lord
Caithness,
Jan. 26th,
1761.

The observations your Lordship makes upon the scroll of the settlement, I sent you for your perusal and approbation, are two; first, that there is no irritancy adjected to the prohibition to contract debts; the other, that you would have the second son to succeed to the contraveener. In answer to the first, your Lordship will please to look at the foot of the 8th, and head of the 9th page of the scroll in your possession, at least, it will be near about that place, as it is so in my copy, and you will read, a general, irritant, and annulling clause, that applies to every prohibition in the deed of entail, in these words, [here the clause is taken in] so that by this clause your Lordship will observe, that every act or deed, done in contravention of the tailzie, either by contracting debts, or otherways, is not only declared null, but the contraveener is declared to forfeit and amit his right to the estate. As to the other observation your Lordship makes, that in case of contravention or irritancy of the heir in possession, you incline the estate should go to the second son; the same is done in other words, that is to say, the estate is provided to go to the next heir of the contraveener, that is capable by the tailzie to take and hold the estate, under the provisions and conditions therein insert.

Lord Wood-
hall to Lord
Caithness,
March 18th,
1761.

Your settlement and entail is now extended, and the lands, both of your own, and your brother Lord Murkle's estate, are filled up, as exactly, as we could find them in the rights and papers of both estates. The person I have employed to execute the deed is Mr.

John

John Pringle, writer to the signet, son of Mr. Thomas Pringle, who was no doubt your Lordship's acquaintance, my good opinion of his knowledge, honesty, discretion, and secrecy, made me presume to name him, as I know that he had no sort of intercourse or connection, with any of the folks in your county, and, of consequence, had no opportunity or temptation, to make your settlement known to them, it being your intention, as you write me in one of your letters, to keep them secret.

I have received yours of the 18th, you will be pleased to send me the paper drawn by Mr. Pringle by the post, it will be inconvenient to send it by his clerk; I shall return it by the post to your Lordship, with the witnesses names and designations, pay Mr. Pringle and clerk to their contentment, and enjoin secrecy, because expectants will be disobliged when disappointed, let their pretensions be ever so small.

Lord Caithness to Lord Woodhall,
March 30th,
1761.

I returned from the country on Saturday evening last, and take this first opportunity by the post, to send your Lordship the tailzie, extended quite conform to your instructions, in terms of your letter in my possession; I have also sent your Lordship a procuratory to be signed by you, empowering me to make up a title in your person, by serving you heir to your brother Lord Murkle, in the lands holding of the crown. The person's name in the procuratory is blank, but if it is agreeable to your Lordship, I propose to fill up Mr. Pringle, the writer of the settlement, as he is already bound down to secrecy, unless your titles are made up in the way, that I mention, to your brother's lands holding of the crown, as likewise to those holding of a subject, your tailzie and settlement as to his land estate will be null.

Lord Woodhall to Lord Caithness,
April 27th,
1761.

I sent the tailzie by course of post, but *Ijauld* was not in it, it is a considerable part; my memory failed me; I thought it had been the charter on Murray's apprizing; I was in some suspense, at length I thought it best to sign it as it was, and to get a new tailzie in the same terms with the first; John Davidson has the charter, your Lordship, or some of yours, will get it all. Let Mr. Pringle and his clerk be liberal paid; if they are not, they will be disobliged, and

Lord Caithness to Lord Woodhall,
May 1761.

and not keep the secret ; Ratter is next, though very remote, he has but a small estate, and I believe a good deal of debt ; he had no education, or was in good company ; though he lives within four miles of me, he never came to see me, from which it seems, he is disobliged, because I did not give him all I had, and depend for subsistence on his generosity ; he cannot be very wise, for he could not have taken a more effectual way to disappoint his expectations ; P. S. I have signed the tailzie, at Hemer, May 19, 1761, Peter Swanston, my servant, William Angus, tenant in Clardon.

Lord Wood-
hall to Lord
Caithness,
May 30th,
1761.

I was favoured with your Lordship's letter alongst with your settlement or tailzie, at this place yesterday, your Lordship has subscribed all [the pages most regularly, except the last, which, by omission, you have forgot ; and, therefore, beg leave to send you this last page, which you will please to sign at the cross, at the right-hand of the witnesses subscription, and do it before the same witnesses. Your Lordship has likewise omitted to cause the witnesses sign witness to the procuratory, and you have at the same time signed your name so near the writing, that there is no room to fill it up. I have sent you the last sheet of the tailzie, but you are only to sign the last, or 20th page, and the procuratory, before the two witnesses, as I have directed.

Lord Caith-
ness to Lord
Woodhall,
June 8th,
1761.

I am vexed that I did not sign the last page, the procuratory did not, I think, mention witnesses ; let the date be Hemer the 19th May, which was the day I thought I had signed. The witnesses are Peter Swanston, my servant, and William Angus, tenant in Clardon. I have one way and another 14,000 sterling, which I would put in land, and settle it in the same manner with the rest ; in case any that may get it, have so much of publick-spirit, as to wish to serve their country, they may have the means of doing it. We have but one alternate election here ; a Scots Peer is amongst the most insignificant subjects of Britain.

Lord Wood-
hall to Lord
Caithness,
June 20th,
1761.

I was favoured with your Lordship's letter, of date the 8th current, with the two papers I transmitted you in my last, regularly signed, but could not find time to write you a return till now.— With your Lordship's approbation, I would incline to employ Mr.

Davidson

Davidson to serve you heir to your brother, Lord Murkle's heritable subjects holding of the crown, as likewise those holding of a subject; my reason for this is, if you was to employ any other than your present doer, in that service, it might create a suspicion, that it was intended for the purpose of your executing a settlement of your estate, an affair you desire not to be known; whereas, if your ordinary doer is employed in it, without his being employed to execute a settlement for you, it will pass for a thing of course, and such as you ought to do in the management of your affairs, and he, nor any other person, will have any suspicion upon it.

It is my purpose, that the same person gets the land, get the money, nor do I see, how he can be limited as to the disposal of it, if it is not put in land. I think it my duty to take all lawful means to preserve the memory of the family; the larger any estate, the firmer it stands, and the possessor, if he makes a right use of it, may be more useful to his country, and will be more respected by it, than with a lesser.

I was favoured with the receipt of your letter, dated the second of this month, the other week, but was unwilling to trouble you with a return, until I could send you the inclosed tailzie or settlement, with the addition of the lands or barony of Ifauld, which you desired to have included, as you had omitted to mention them in your former instructions to me. The settlement is the same with the one you have already executed, except with the addition of the lands of Ifauld, which had escaped your Lordship's memory in your former letters.---As to what your Lordship writes concerning the settlement of your money-estate, so as to bring it under the fetters and irritancies of your entail, that is very difficult to be executed while your money remains bonded, and moveable in its present situation.

I had returned the deed long ago, if I had not the week before I got it, been taken with a pain in my back; I signed it here the 17th day of this month, before George Farquhar, wright in Thurso, and Alexander Rofs, his prentice. My brother had the preservation of Murkle much at heart, and for that end entrusted me with all he had, which obliges me to perform that trust in the most effectual

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Lord Caithness to Lord Woodhall,
July 2d,
1761.

Lord Woodhall to Lord Caithness,
July 24th,
1761.

Lord Caithness, to Lord Woodhall,
Aug. 25th,
1761.

manner I can, nor do I see how the money can be applied according to his intention, unless it is laid out on land, or trustees appointed.—I do not care what country the land is in, if it can pay the rent well.

Lord Caithness to Lord Woodhall,
May 15th,
1762.

Freswick, with his nephew, (*i. e.* Ratter,) was here for the first time; he was inquisitive how I was to dispose of certain things.—I gave him no satisfaction.

Lord Caithness to Lord Murkle.

The Earl, by a short holograph note, which appears to be the copy of a letter to his brother Murkle, writes thus: I do not know what Francis may do; but if neither you or he have heirs-male, I propose to settle what I have on Dorothea.

Holograph copy, or scroll of a letter, which appears to be from Lord Caithness to Lord Woodhall.

Lord Caithness to Lord Woodhall.

“ I did not care to trouble your Lordship with a letter the time of session, but now finding my flesh and strength, and memory failing, I am to tell you, how I am to dispose of my inheritance, which I propose to give to Mr. Francis in liferent, and to the heirs-male of his body in fee; failing which, to the second son of Lord and Lady Macduff, but to no other son and heirs-male, he taking the name of Sinclair, and designation of Murkle; failing of which, to your Lordship, and heirs-male, taking the designation of Murkle, to be entailzied to all; your Lordship is the only person of your name, that has acted for me as a friend; I believe it is owing to you, that the settlement my brother made was effectual.”

Letters from Lord Caithness to Lord and Lady Fife.

Lord Caithness to Lady Dorothea,
June 16.
1755.

Take all the care you can of the papers *i. e.* (Lord Murkle's papers); if they are lost, they will be lost to yourself, you are to have them all. P. S. Communicate as much of this as you think proper to Lord Woodhall. I have recommended you to his care.

Lord Caithness to Lord Macduff,
Octob. 10.
1761.

I received yours of the 15th past, you never gave me any cause to be displeased, nor am I ever displeased without a cause; I was sure, if any thing had happened to your Lordship or concerns, I must

must have soon heard it. I am very unwilling to write, having so barren invention, that I can hardly find as much to write as will fill six lines. I have no advisers here, I live in a distant way with them all, and have good reason to do so, though they are of the name. They have all conspired to ruin the family I belong to, by which they have got good estates for little or nothing. I am, my Lord, your Lordship's affectionate father, &c. Signed, CAITHNESS.

In this letter, the Earl gives Lord Macduff an account of all his processes depending before the Court of Session; particularly, a process with one Campbell, and writes thus: "They expect to get the rent of the land for 80 years, which will be about 6000 l. sterling, which you are as much concerned to prevent as I am. I am, my Lord, your affectionate father, &c."

In this letter, Lord Caithness likewise informs Lord Fife of his law-processes, and sends him inclosed a minute and interlocutor, with a note of his own, which he desires Lord Fife to send to some of his doers, as John Davidson had refused to be any longer his agent; and concludes, "I will be well pleased to hear, that your Lordship, Lady Fife, and all your concerns are well. I am, my Lord, your affectionate father."

I received a letter from your Lordship a post or two ago, on Mr. Walter Stuart's death, Lord Woodhall recommended Mr. Lockhart; he has none to assist, but a nephew of Lord Woodhall's, that is but just entered.—I hope your Lordship will name some lawyer, a friend to you, who has your interest at heart, and in whom you may confide, as it is your own concern, as much as mine. If they get what they seem to aim at, it will take the half of my money. Concludes compliments to Lady Fife. I am, my Lord, &c. Signed, CAITHNESS.

Letters from Lord Caithness to Mr. Robert Sinclair,
Advocate..

I have received yours of the 7th.—What they seem to aim at, is the rent of the three wadsets since the 94, which will be a great sum, and probably so much loss to your family..

I am

Lord Caithness to Lord Macduff, Sept. 19th, 1763.

Lord Caithness to Lord Macduff, now Lord Fife, Octob. 29. 1763.

Lord Caithness to Lord Fife, June 7. 1764.

June 16. 1764.

Octob. 29.
1764.

I am to continue the entail in your family, all the rest of the name conspired to ruin my predecessors ;—two weak men succeeding each other, they accomplished their design, nor have I an inch of it, though they had neither debt, nor a voluntary right to it.— I put my trust in you, not only as a lawyer, but as a friend, for the friendship your predecessors have shewn mine for more than a century. If I can get a purchase for my money, I propose to settle it in the same way I have already done the rest.

15th Nov.
1764.

I think proper to acquaint you, that Wester Brimms is about 1200 merks of rent, after the publick is paid ; it holds of the laird of Brodie. I am not infest in it ; I am told, unless I am infest in it, the tailzie as to it will be ineffectual, which very probably will be so much loss to your family ; therefore, I wish a charter may be got as soon as can be, that I may be infest.

June 25.
1766.

I have received yours of the 13th. If a purchase of ten or twelve thousand pounds of it will clear between three and four per cent. of the price, I will take it, and settle it in your family, on the same terms with the rest. All the families of the name but yours, have done me all the hurt they could.

Robert Sinclair to Lord Caithness,
June 25th,
1765.

Your Lordship does our family very much honour, in favouring them with your friendship and regard. Whatever particular marks of that friendship you may think proper to bestow, will, I am certain, be received with that sincere warmth of gratitude, which to so generous a benefactor is due.

Mr. John Pringle's letters.

5th May.
1764.

I have the misfortune of informing you of the death of your valuable friend, Lord Woodhall, who died last night.

August 28.
1765.

In answer to what you write concerning the entailing of your money, I know no way of doing it so properly as to make it over to a trustee, to be laid out in the purchase of lands, of which the rights to be taken in the same manner as your other estate is settled.

August 31.
1765.

I shall, if you please, make out a conveyance of your whole effects, in favours of any trustee you think fit to name, under trust, to be applied for purchasing land, to be settled in the same manner

as your other estate; and if you please I shall take Mr. Lockhart's opinion upon it.

I received your letter of the 7th instant, and this morning waited on Mr. Lockhart at Craighouse, and laid before him your intention of settling your money, as to the method of doing it, and left a memorial with him for his opinion, which he is to give me in writing. What he proposed was the same method I mentioned to your Lordship, to put your money in trust to be employed in purchasing land, and to take the rights to the same series of heirs as are in your former settlement, and under the same irritancies.

September 21.
1765.

I wrote you by last post, and now send you Mr. Lockhart's opinion with regard to the manner of settling your money according to your intentions. He proposes two methods, the last of which is the same I formerly mentioned to you, and he seems to prefer it to the other.

September 21.
1765.

Lord Caithness's letters to Mr. John Pringle.

I saw North Merchiston advertised for sale. The motives I have for making a purchase is for the security of the money, that I may settle it as I have done the rest. I do not purpose to alter the succession. A purchase here were better, but there is none to be had so soon. I want a purchase of ten thousand pounds; if it wants a house, the better, because it will cost less. I do not care where it is, if the rent is sure.

June 30.
1764

You will be pleased to let me know what Hallyeards may be sold for, and if it is a safe purchase, and the rent sure; and if Mr. Robert Sinclair and his family approve of it.

July 30.
1765.

All I propose by buying land is the better security of the money. And, that I may get it in the same way as the rest, let me have Mr. Lockhart's advice as to the settling of money in trust, with a view to purchase land to be entailed in the same way as the rest, and a copy of the conveyance.

September 7.
1765.

MEMORIAL

I received your letter of the 10th inst. and this morning visited
 our brother-in-law, and had before him your invitation
 of visiting your property, as to the method of doing it, and the
 result of the visit, which is to have me in with

JOHN SINGLARS of New York

ALG 3 1971

1. I would like to see you Mr. Lockhart's office.

...for his interest... and he seems to prefer it to the... Countess's life and... which is the...

U
POLLARD Woodhall's death, and when inquired of his
repositories, there was found therein the deed of last-
ment executed by the said Pollard Woodhall, and many
other papers, which, with some letters, were sent to the
deed to Lord Woodhall, who put it under a paper cover, and
directed in keeping to Mr. Robert Smith, an advocate, the number of
attestation of Lord Woodhall, with whom they remained till the
first of the month of December last; when the sealed up
envelope opened at the sight of some of the friends and deacons, both
of the said church and the church of St. John Sinclair, the testimony was taken out,
and the same read; but as it did not prove them guilty, that the said
would be any use for the letters, they were released, and left in the Ro-

Also with these informations, certain letters which had passed between them, and two of your Lordship's answers, were shown before the judges, and they were fully heard upon their objections to such evidence, and proposed to the Earl of Albemarle under the aforesaid titles and proved charged to the nation for his being served with letters and Sir John Sinclair having severally presented